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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,826	12/02/2003	John B. Amundson	H0005444-9950 (1161.11401)	3578
128 7590 01/16/2009 HONEYWELL INTERNATIONAL INC. 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245				
EXAMINER				
KASENGE, CHARLES R				
ART UNIT		PAPER NUMBER		
2121				
MAIL DATE		DELIVERY MODE		
01/16/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/725,826

**Applicant(s)**

AMUNDSON ET AL.

**Examiner**

CHARLES R. KASENGE

**Art Unit**

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40, 42 and 43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40, 42 and 43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statements (PTO/SB08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 11/13/08
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/13/08 has been entered.

***Response to Arguments***

2. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-33, 38-42 and 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Rosen et al. U.S. Patent.
5. Regarding claims 1, 25, 39-42 and 43, Rosen discloses a method of accessing a schedule on a controller coupled to a user interface, comprising the steps of: initiating a schedule review mode (first

level screen) within the controller, said schedule review mode permitting viewing access only and not permitting editing access to at least two schedule parameters in the schedule (Fig. 6; col. 7, lines 45-67, wherein the controller is turned and the screen of Fig. 6 is presented to the user), while in the schedule review mode, manually selecting via the user interface two or more schedule parameters (Fig. 6; col. 7, lines 45-67, wherein all viewable parameters are “selected” when the controller is turned on); in response to the manually selecting step, displaying manually selected schedule parameters via the user interface without first having to wait for other schedule parameters to be automatically sequentially displayed on the user interface (Fig. 6; col. 7, lines 45-67); and exiting the schedule review mode (Fig. 7; col. 8, lines 1-3).

Regarding claims 2-5, 13-16, and 25-29, Rosen discloses the method of claim 1, further comprising the steps of: initiating an editing mode (second level screen) within the controller; and while in the editing mode, modifying at least one schedule parameter of the schedule, wherein the schedule review mode must be exited before the editing mode is initiated (Fig. 7; col. 8, lines 1-8). Rosen discloses the method of claim 2, wherein the step of initiating the schedule review mode occurs prior to the step of initiating the editing mode (Fig. 6 and 7). Rosen discloses the method of claim 1, wherein said schedule includes at least two time periods, with one or more schedule parameters corresponding to each of the at least two time period, at least one of the time periods corresponding to a wake period, a leave period, a return period, or a sleep period (col. 5, lines 52-56). Rosen discloses the method of claim 1, wherein said one or more schedule parameters is selected from the group consisting of an event time parameter, a heat set point parameter, a cool set point parameter, a fan mode parameter, and a humidity level parameter (col. 8, lines 1-8).

Regarding claims 6-8, 17-19, and 30-32, Rosen discloses the method of claim 1, wherein the user interface comprises a touch screen (col. 8, lines 1-8), display panel and keypad (Fig. 6), and a menu-driven interface (Fig. 6). Regarding claims 9-12, 20-23, and 33, Rosen discloses the method of claim 1, wherein said schedule is a heating, cooling, or venting schedule (Fig. 6), and the controller is a HVAC controller (Fig. 8).

Regarding claims 24 and 38, Rosen discloses the method of claim 13, wherein said one or more schedule parameters are unmodifiable in the schedule review mode (Fig. 6).

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen as applied to the claims above, and further in view of Yoon et al. U.S. Patent 6,192,282. Regarding claims 34-37, Rosen does not disclose the controller for a security, lighting, sprinkler or A/V system. Yoon et al. discloses a controller wherein said system is a security, lighting, sprinkler, or A/V system (col. 8, lines 25-32).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to implement Rosen method for accessing a schedule for a controller that controls security, lighting, sprinkler and A/V system. One of ordinary skill in the art would have been motivated to do this since Yoon's controller is used for HVAC as well as the other systems (Fig. 1).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES R. KASENGE whose telephone number is (571)272-3743. The examiner can normally be reached on Monday through Friday, 8:30 - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on 571 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CK  
January 15, 2009

/Charles R Kasenge/  
Examiner, Art Unit 2121